

REMARKS

Applicant thank the Examiner for the thorough consideration given the present application. Claims 4, 5, 7, 13, 14, 17, and 18 are pending in the present application. Claims 1-3, 6, 8-12, 15, 16, and 19 have been canceled without prejudice or disclaimer to the subject matter contained therein. Claims 4, 7, 13, 14, and 17 have been amended. Claims 4, 7, 13, 14, and 17 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejections in view of the above amendments and the following remarks.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 4, 5, 7, 13, 14, 17, and 18 as being allowable if rewritten in independent form. Although not conceding the appropriateness of the Examiner's rejections, claims 4, 7, 13, 14, and 17 have been rewritten in independent form. Thus, claims 4, 5, 7, 13, 14, 17, and 18 are now in condition for allowance.

Acknowledgment of Information Disclosure Statement

The Examiner has acknowledged the Information Disclosure Statements filed on March 28, 2006 and March 12, 2004. Initialed copies of the SB/08 and PTO-1449 forms have been received from the Examiner. No further action is necessary at this time.

Specification

The Examiner objected to the title as not being descriptive. Thus, Applicant has replaced the title with --CAMERA AND METHOD OF PHOTOGRAPHING A SUBJECT WHEN A PREDETERMINED PHOTOGRAPHING CONDITION IS SATISFIED--. In view of this amendment, the Examiner is respectfully requested to withdraw the objection to the title.

Rejection Under 35 U.S.C. § 112

The Office Action states that claims 12 and 13 are rejected under 35 U.S.C. § 112, 2nd Paragraph, as being indefinite. However, it is believed that the Examiner intended for this rejection to be directed to claims 13 and 14. In this rejection, the Examiner asserts that “said judgement location” lacks antecedent basis in both claims.

Applicant respectfully submits that claims 13 and 14 has been amended above to change the aforementioned “said judgement location” to --a judgement location--. Further, it is respectfully submitted that the claims as amended provide sufficient antecedent basis for the other elements. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Prior Art Rejections

Claims 1-3, 6, 8, 10, 12, 15, 16, and 19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,539,100 to Amir et al. (hereafter “Amir”). Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Amir in view of U.S. Patent No. 4,881,127 to Isoguchi et al. Further, claim 11 stands rejected under § 103(a) as being unpatentable over Amir in view of U.S. Patent No. 6,606,117 to Windle.

Without admitting the validity of these rejections, Applicant has canceled claims 1-3, 6, 8-12, 15, 16, and 19 in an effort to expedite prosecution. Thus, the aforementioned rejections have been rendered moot.

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Amendment dated November 5, 2007
Reply to Office Action of July 10, 2007

Docket No.: 3562-0138P

Conclusion

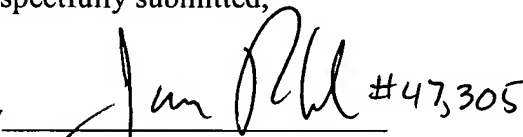
All of the stated grounds of rejection have been rendered moot. Applicant therefore respectfully requests the Examiner to withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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